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5 **UNITED STATES DISTRICT COURT**
6 **WESTERN DISTRICT OF WASHINGTON**

7 VINCENT DANIEL HOPPER,

8 Plaintiff,

9 v.

10 MARVEL L. MORRISON, et al.,

11 Defendant.
12

Case No. C06-5058 FDB JKA

**ORDER GRANTING MOTION
TO STAY DISCOVERY**

13 THIS MATTER comes before the court on Motion to Stay Discovery filed by defendants Compass
14 Group USA/Canteen Corporation Services Corporation, Morrison, Wilson, and Shine. (Doc #30). The court
15 has considered all materials filed in support of and in response to said motion as well as the files and records
16 herein.

17 Defendants seek stay of discovery alleging that (1) there is an immediate and clear possibility that the
18 defendants will prevail on a pending Motion to Dismiss; (2) no discovery is needed for the Court to rule on
19 the moving parties pending motion to dismiss; and (3) allowing discovery would only serve to impose an unjust
20 burden and expense upon the moving defendants and delay the inevitable dismissal of the plaintiff's claim
21 against them. It is also alleged that the discovery sought by the plaintiff is "particularly egregious." There is
22 no specific motion to limit discovery or objections to discovery before the court at this time.

23
24 Moving defendants' motion to dismiss (Doc #25) is currently noted for July 14, 2006. It is primarily
25 premised on lack of jurisdiction and failure to state a valid claim. It does not appear to the court that further
26 discovery would be relevant to consideration of the motion to dismiss, and that the motion to stay should be
27 granted. In the event the Motion to Dismiss is denied the issue of "egregiousness" can be raised at a later date.
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1 If the Motion to Dismiss is granted the issue of “egregiousness” becomes moot.

2 **Moving defendants motion to stay discovery (Dox #30) is granted pending the court’s ruling on**
3 **the pending Motion to Dismiss (Doc # 25).**

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5 June 19, 2006

6 /s/ J. Kelley Arnold
7 J. Kelley Arnold
8 United States Magistrate Judge
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